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Attorneys for Plaintiff JMK 3, LLC

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING**

JMK 3, LLC, an Ohio limited liability company,
Plaintiff,

v.

THE GENEUS GROUP, LLC, a Wyoming limited liability company,
Defendant.

CIVIL ACTION NO. 20-CV-1-J

**MOTION FOR ENTRY OF DEFAULT
JUDGMENT**

COMES NOW Plaintiff JMK3, LLC (“JMK3”) and pursuant to the provisions of Rule 55(a), Fed. R. Civ. P., hereby moves the Court for entry of default judgment against the Defendant The Geneus Group, LLC (“Geneus Group”) on the following grounds:

1. JMK3 filed a Complaint for Breach of Contract, Promissory Estoppel, and Unjust Enrichment (“Complaint”) in the United States District Court for the District of Wyoming on January 6, 2020, against Geneus Group.

2. The Complaint and the Summons were served on Geneus Group by Teton County Sheriff’s Deputy Shawn Dysan on January 16, 2020, by personally delivering and leaving the documents with Spencer King of Seedall Law Office, P.C., Registered Agent for Geneus Group. [Doc. 3]

3. Geneus Group has failed to plead or otherwise defend.

4. The time allowed by law to plead or otherwise defend has expired.

5. On February 10, 2020, pursuant to Fed. R. Civ. P. 55, the Clerk of Court properly entered Geneus Group’s default for failure to appear or defend. [Doc. 7]

6. Because of Geneus Group’s default, it is appropriate for the Court to enter default judgment against Geneus Group as prayed for in the Complaint. Thus, JMK3 requests the Court enter judgment in favor of JMK3 against Geneus Group, in the principal sum of One Million, Nine Hundred Fifty-Nine Thousand, Six Hundred Seventy-Seven Dollars and Forty-Two Cents (\$1,959,677.42), plus costs totalling Four Hundred Seventy Dollars (\$470.00), as well as post-judgment interest at the statutory rate of 10% per annum from the date of judgment until satisfaction.

7. Pursuant to Fed. R. Civ. P. 55(b)(1), there is filed contemporaneously herewith and incorporated herein by this reference the Affidavit of Charles Kasbee in support of the amount owing to JMK3 by Geneus Group.

8. Because JMK3’s claim is for a sum certain or a sum that can be made certain by computation, JMK3 is entitled to have judgment entered against Geneus Group by the Clerk of

Court, or the Court as appropriate, in the sum of One Million, Nine Hundred Sixty Thousand, One Hundred Forty-Seven Dollars and Forty-Two Cents (\$1,960,147.42), plus post-judgment interest as allowed by law.

WHEREFORE, JMK3, LLC respectfully moves the Court to enter judgment by default against Defendant The Geneus Group, LLC for the relief stated in the Complaint in the form of the proposed judgment.

Dated: March 5, 2020.

Respectfully submitted,

/s/ Mistee L. Elliott

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CERTIFICATE OF SERVICE

I hereby certify that on March 5, 2020, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of the Electronic Filing to all ECF registrants in this action:

/s/ Mistee L. Elliott
Of CROWLEY FLECK PLLP